



IFW 2666

PTO/SB/17 (12-04v2)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL For FY 2005		Application Number	09/536191
		Filing Date	March 27, 2000
		First Named Inventor	Robert J. Donaghey
		Examiner Name	P. H. Tran
		Art Unit	2666
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	BBNT-P01-320
TOTAL AMOUNT OF PAYMENT (\$) 180.00			

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 18-1945 Deposit Account Name: Fish & Neave IP Group, Ropes & Gray LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)** **Multiple Dependent Claims**

_____ - = _____ x _____ = _____ **Fee (\$)** **Fee Paid (\$)**

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

_____ - = _____ x _____ = _____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/50	_____ (round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	54,130
Name (Print/Type)	Edward A. Gordon	Telephone	(617) 951-7066
		Date	August 14, 2006

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 8/14/06 Signature: Joanne Ryan (Joanne Ryan)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 8/14/06 Signature: Joanne Ryan
(Joanne Ryan)

Docket No.: BBNT-P01-320
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert J. Donaghey

Application No.: 09/536191

Confirmation No.: 4645

Filed: March 27, 2000

Art Unit: 2666

For: SYSTEMS AND METHODS FOR
COMMUNICATING IN A PERSONAL AREA
NETWORK

Examiner: P. H. Tran

REQUEST FOR TERMINATION OF SUSPENSION OF ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests termination of suspension of action by the U.S. Patent and Trademark Office on the above-identified patent application, as requested on May 8, 2006 for a period of three months.

Applicant had requested the Suspension to obtain permission to disclose certain information believed to be covered by a confidentiality provision. After further legal review, Applicant determined the confidentiality provision permits disclosure of the information in question. Such information is enclosed along with the Supplemental Information Disclosure Statement submitted herewith.

Applicant believes no fee is due for this request other than as reflected on the enclosed Fee Transmittal. However, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BBNT-P01-320.

Accordingly, it is respectfully requested that this request for termination of suspension of action be granted.

Dated: August 14, 2006

Respectfully submitted,

By 

Edward A. Gordon

Registration No.: 54,130

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 8/14/06 Signature: Joanne Ryan

(Joanne Ryan)

Docket No.: BBNT-P01-320
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert J. Donaghey

Application No.: 09/536191

Confirmation No.: 4645

Filed: March 27, 2000

Art Unit: 2666

For: SYSTEMS AND METHODS FOR
COMMUNICATING IN A PERSONAL
AREA NETWORK

Examiner: P. H. Tran

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of non-patents in accordance with 37 CFR 1.98(a)(2).

10002622_1

08/17/2006 WABDELRI 00000087 181945 09536191

01 FC:1806 180.00 DA

Among the non-patent documents submitted herewith, Applicant encloses a copy of a contract, contract no. N3998-96-C-5021 (the "Contract"), listed on the attached SB/08 as item CG. The Contract was entered into by the assignee of the application ("Assignee") and the Office of Special Technology of DARPA. Assignee executed the Contract on May 23, 1996. The Contract refers, in part, to BodyLAN, a technology, which, in some instances, embodies the subject matter claimed in the application. Applicants also enclose a copy of an amendment to the Contract, executed by Assignee on July 31, 1997 (the "Amendment"). The Amendment is listed on the attached SB/08 as item CH. The Amendment modifies the Statement of Work included in the Contract. Applicant and Assignee conducted an investigation into the facts surrounding the Contract. The following summarizes the results of the investigation to date:

- The proposal from the Assignee to DARPA resulting in the Contract is incorporated into the Contract as page 3 of Attachment I (page 66 of the Contract). The proposal does not propose the delivery of any hardware or software.
- Section H of the Contract (see page 6a) and Section 5.0 of Attachment I of the Contract (see page 64) call for the delivery of "hardware and software developed for the program." As noted in Section H of the contract, BodyLAN was developed prior to the program. In addition, Assignee has indicated that development of BodyLAN was carried out using internal research and development funds.
- The investigation has not concluded that any hardware or software was, in fact, delivered under the Contract.
- The Contract was amended on a number of other occasions. None of these other amendments materially modified the deliverables called for in the Contract or the Statement of Work as amended in the Amendment.

Should new facts arise, Applicant will notify the Patent Office of such changes.

In accordance with 37 CFR 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Supplemental Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Supplemental Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 18-1945 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BBNT-P01-320. A duplicate copy of this paper is enclosed.

Dated: *August 14, 2006*

Respectfully submitted,

By 

Edward A. Gordon

Registration No.: 54,130

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	09/536191	
			Filing Date	March 27, 2000	
			First Named Inventor	Robert J. Donaghey	
			Art Unit	2666	
Sheet	1	of	1	Examiner Name	P. H. Tran
				Attorney Docket Number	BBNT-P01-320

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	CA	Barber et al. Designing for Wireless LAN Communications. IEEE Circuits and Devices. 4:12, 29-33 (1996)		
	CB	Carvey, P. Technology for the Wireless Interconnection of Wearable Personal Electronic Accessories. VLSI Signal Processing IX, IEEE Press. pp 13-22 (1996)		
	CC	Retrieved 2/9/06 from http://www.unf.edu/cccec/ieee/prev_mesa_1998.html . 1988 IEEE Computer Elements MESA Workshop (1998)		
	CD	Retrieved 2/9/06 from http://www.wlan01.wpi.edu/scripts/history.html . The Third IEEE Workshop on Wireless LANs: History		
	CE	LaRowe, R. Paper submitted to IEEE. PAN Feasibility: The BodyLAN™ Experience. (March 1998)		
	CF	Barber, Jr., Thomas J. Paper submitted to MIT. BodyLAN™: A Low-Power Communications System. February 1996.		
	CG	Copy of Contract No. N3998-96-C-5021 (1996)		
	CH	Copy of Amendment to Contract No. N3998-96-C-5021 (1997)		
	CI	Retrieved from http://www.nap.edu . 1997 Energy-Efficient Technologies for the Dismounted Soldier pp 65-111 (1997)		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

10002625_1	Date Considered	
Signature		